

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION**

TYLER TECHNOLOGIES, INC.,

Plaintiff,

V.

Case No. 4:20-cv-00173-TWP-DML

LEXUR ENTERPRISES INC., ROBERT FRY,  
AND DANIEL MUTHARD

Defendants.

**DEFENDANTS' MOTION FOR EXTENSION OF TIME TO RESPOND TO AMENDED COMPLAINT**

Defendants Lexur Enterprises, Inc. (“Lexur”), Robert Fry and Daniel Muthard by counsel, pursuant to Federal Rule of Civil Procedure 6 and Local Rule 6-1, respectfully request that the Court grant them an additional ten (10) days to file a responsive pleading to Plaintiff’s Amended Complaint. In support of this Motion, Defendants state:

1. On June 29, 2021, the Court issued its Order dismissing Tyler Technologies, Inc.'s ("Tyler") claims against Lexur and the other remaining Defendants without prejudice. The Court also gave Tyler fourteen days to file an amended complaint.
2. On July 9, 2021, Tyler filed its Amended Complaint.
3. The Amended Complaint named Mr. Muthard as a Defendant for the first time.
4. The Amended Complaint also shifted Tyler's primary theory of liability from its original antitrust claims to new claims for trade secret misappropriation under the Defend Trade Secrets Act (18 U.S.C. § 1836) and the Indiana Uniform Trade Secrets Act (Ind. Code § 24-2-3-2). Tyler has also asserted a new claim for conversion.

5. In light of the new party and the new claims, Defendants need additional time to prepare their response to the Amended Complaint.

6. Defendants' responsive pleading is currently due on July 23, 2021.

7. Defendants respectfully request a ten (10) day extension through and including August 2, 2021 to file their responsive pleading.

8. Defendants have reviewed the current Case Management Order and do not believe the requested extension will impact the Order or deadlines contained therein in a meaningful way.

9. Defendants have contacted Tyler's counsel regarding this Motion and Tyler's counsel has informed the undersigned that Tyler does not object to the relief sought.

WHEREFORE, Defendants Lexur Enterprises, Inc., Robert Fry, and Daniel Muthard, respectfully request that the Court enter an Order granting them an additional ten (10) days to file a pleading in response to Plaintiff's Amended Complaint and for all other just and proper relief.

Respectfully Submitted,

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/s/A. Richard M. Blaiklock

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### **CERTIFICATE OF SERVICE**

I hereby certify that on July 20, 2021, a copy of the foregoing was filed electronically. Service of this filing will be made on all ECF-registered counsel by operation of the court's electronic filing system. Parties may access this filing through the court's system.

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